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**International Centre for Trade Union Rights**  
*Centro Internacional para los Derechos Sindicales*  
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ICTUR was founded to  
defend and extend trade union rights and to  
raise awareness of these rights and their violations  
around the world

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**December 2016**

**Attn:** Josaia Voreqe Bainimarama, Prime Minister  
4th floor Government Buildings, New Wing, Suva, Fiji

**Cc:** Jone Usamate,  
Minister for Employment, Productivity and Industrial Relations,  
Ministry Headquarters, Level 4 Civic House, Suva, Fiji

Sandra Vermuyten / Camilo Rubiano,  
Public Services International,  
45 avenue Voltaire, BP 901211, Ferney-Voltaire Cedex, France

Fiji Public Service Association (FPSA)  
PO Box 1405, Suva, Fiji

Fiji Trades Union Congress  
32 Des Voeux Road, G.P.O. Box 1418, Suva, Fiji

Dear Prime Minister Bainimarama,

The International Centre for Trade Union Rights is writing to express its concerns about the treatment of trade unionists in Fiji.

ICTUR understands that fire-fighters in Fiji have been pressured to join the Fire Service Union (FSU), an “in-house” union established and run under the control of the employer. The Fiji Public Service Association (FPSA), a union covering a range of government workers, has long been seeking to commence wage bargaining for fire-fighters. As reported in October 2016 by the Global Union Federation, Public Services International (PSI), the National Fire Authority (NFA) set up the FSU as an “in-house” union earlier this year to avoid entering into negotiations with the FPSA. PSI reports allegations that 'the Chief Fire Officer is the main recruiter for the “in-house” union and that these actions are authorised by the Executive Chairman' and that fire-fighters

report they 'were offered higher wages and the promise of permanent employment if they signed over to the FSU'.

ICTUR further understands that the NFA has been pressuring fire-fighters to move to individualised contracts, and that it has also refused to service 'check-off' arrangements for the deduction of trade union dues from payroll. It is reported that the FPSA's attempts to bring the issue before the Employment Relations Tribunal have been hampered by the fact that the Registrar of Trade Unions failed to turn up to its hearing.

In unrelated events, it is also reported that on 10 September, the general secretary of the Fiji Council of Trade Unions, Attar Singh, was arrested and detained by police along with four prominent opposition figures. According to media reports, Mr Singh's home was also searched by police. Alleged to have held a public meeting to discuss the constitution, Mr Singh is understood to still be facing potential charges as a result.

The interference with the freedom of fire-fighters to join a union of their choosing and to exercise their collective bargaining rights is a clear violation of the principles enshrined in the eight fundamental ILO conventions, all of which Fiji has ratified. ICTUR notes that the ILO supervisory committees have criticised situations in which barriers have been created to the collection of trade union dues from payroll, remarking that 'the withdrawal of the check-off facility, which could lead to financial difficulties for trade union organizations, is not conducive to the development of harmonious industrial relations and should therefore be avoided' (*Digest of decisions and principles of the Freedom of Association Committee of the Governing Body of the ILO*, Fifth Edition, 2006, para 475).

Additionally, the arrest and detention of trade unionists may constitute a serious interference with trade union rights, and a violation of the principles enshrined in the United Nations International Covenant on Civil and Political Rights, unless attended by appropriate judicial safeguards (*ILO Digest*, paras. 72, 75, 93, 97, 106, 109). It is "incumbent upon the government" to show that the arrest, detention and sentencing of a trade union official are "in no way occasioned by the trade union activities of the individual concerned." (*ILO Digest*, para. 94).

ICTUR supports the PSI's call for the Fijian Government to intervene in the situation surrounding the formation of the "in-house" FSU, and to enter into good faith bargaining with the FPSA. ICTUR further calls upon the Fijian government to take measures to comply with its international obligations, and to ensure the fundamental freedoms of workers to join and form unions and take action in defence of their

interests.

ICTUR will report these incidents in the journal *International Union Rights*, which was established in 1993, and which enjoys a readership in more than 100 countries.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'D. Blackburn', followed by a long horizontal line extending to the right.

Daniel Blackburn, Director